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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,856	08/29/2001	Teruaki Okino	4641-59019	8541

7590

02/04/2003

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EXAMINER

NGUYEN, LAM S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 02/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,856

Applicant(s)

OKINO, TERUAKI

Examiner

LAM S NGUYEN

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meiri et al. (US 5241185) in view of Dobisz et al. (US 5336892).

Meiri et al. disclose a method in a charged-particle-beam (CPB) microlithography method in which a device pattern, to be transferred onto a specific area of a sensitive substrate, is defined on a reticle that is subsequently illuminated with a charged-particle illumination beam to form a patterned beam that is directed at the sensitive substrate so as to imprint a corresponding region of the substrate with the pattern, a method for correcting errors in pattern elements, as imprinted on the substrate, caused by proximity effects, the proximity-effect correction method comprising in performing a local resizing of a pattern element on the reticle, changing a shape of the pattern element, as defined on the reticle, by correspondingly changing an energy dose of an electron beam used to draw the pattern element on the reticle so as to change the shape from its initial design value (column 6, line 60 to column 7, line 3).

Referring to claims 3, 5: form the calculated correction, obtaining corrected reticle-pattern data (FIG. 1, step 11).

Referring to claims 7, 8, 11, 12: a reticle is produced and used in micro lithographically transferring the pattern, defined on the reticle, to a sensitive substrate using a charged particle beam (column 4, line 60-65).

Meriri et al. do not disclose the changing of a linewidth of the pattern element, as defined on the reticle from its initial design value to reduce proximity effects.

However, Dobisz et al. disclose the changing of a linewidth of the pattern element, as defined on the reticle from its initial design value to reduce proximity effects (column 2, line 30-32) (**Referring to claims 4, 6**).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to replace the changing of shape of a pattern element in the proximity effects correction process as disclosed by Meriri et al. by the changing the linewidth of the pattern element to reduce proximity effects as disclosed by Dobisz et al. The motivation of doing so is to reduce or eliminate proximity effects to improve resolution produced by exposing single level resist layer by means of projection electron beam lithography as taught by Dobisz et al. (column 2, line 30-35).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM S NGUYEN whose telephone number is (703)305-3342. The examiner can normally be reached on 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BARLOW can be reached on (703)308-3126. The fax phone numbers for

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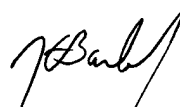
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the organization where this application or proceeding is assigned are (703)305-3431 for regular communications and (703)305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

LN

January 24, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800